

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION



2030 Southwest 145th Avenue
Miramar, Florida 33027

File Number: 282A-MM-6740884

Typist Name: Eileen T. Houghton

Name of Document File: 6740884_101815_0750_RAJA-Walk-thru

Date of Recording: October 18, 2015

Time of Recording: 7:50 A.M.

Type of Recording: Video

Participants: NR - Officer Nouman Raja, Palm Beach Gardens Police
KS - Detective Kenny Smith, Palm Beach Sheriff's Dpt
CK - Sergeant Chris Karpinski, Palm Beach Sheriff's Dpt
LF - Lawrence Fagan, PBA Attorney for Raja
TW - Tom Wills, State Attorney's Office
TG - Todd Grossman, Internal Affairs, Palm Beach
Gardens Police Department
DP: Detective Pfeifle
KT: Keith Thomas, Crime Scene Videographer
UF: Unknown Female/police crime scene employee

Abbreviations: [UI] - Unintelligible [PH] - Phonetic
[OV] - Overlapping voices [SC] - Simultaneous talk

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[Note: Video starts with a view of the Palm Beach County Sheriff's Office large van in the parking lot with participants of interview – CK is UI briefly – radio transmission heard]

KT: Okay gentlemen.

CK: Do you know how to park this thing [UI] truck?

[brief UI conversation]

CK: Excuse me.

[No time stamp on video – program time stamp states 12 seconds in video - CK moves away from conversation – no conversations occurring – all participants in view standing in parking lot – CK returns to interview area]

CK: We're recording.

KS: [UI]. [to CK] I don't, but I'll get it during this. You ready?

CK: Yes, sir.

KS: [laughs] Alright, my name is Detective Kenny Smith, ID 6655. I'm a Detective with the Palm Beach County Sheriff's Office Violent Crimes Division. Today's date is October 18, 2015. The approximate time is 07:50 hours. We are currently in the area of 4300 PGA Boulevard, on the I-95 southbound off-ramp onto PGA Boulevard. I'm presently investigating an officer-involved shooting. The incident occurred at approximately 03, **[UI] pardon that**, 0315 hours on today's date, 10/18/2015. The event under investigation took place in and around our current location. These circumstances are being documented under PBSO Case Number 15-133920. It's also being investigated under Palm Beach Gardens Case Number 15-005522. Present with me are the following officials: Witness Officer is, can you state your full name and your ID with ---

NR: Yes.

KS: --- Palm Beach Gardens?

NR: Officer Nouman Raja, R-A-J-A, ID Number 438, Palm Beach ---

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KS: Uh-huh.

NR: --- Gardens P.D.

KS: And can you also spell your first name?

NR: Nouman, N-O-U-M-A-N.

KS: Alrighty. And representing the State Attorney's Office is Tom Wills.

TW: [shakes head yes]

KS: And you don't have an ID Number I don't believe. Legal counsel is?

LF: Lawrence Fagan, PBA Counsel on behalf of Officer Raja.

KS: Okay, and also present from Palm Beach Gardens Internal Affairs is.

TG: Uh, Todd Grossman.

KS: Todd Grossman?

TG: Yeah, G-R-O-S-S-M-A-N.

KS: Awesome. And other investigators are gonna be Sergeant Karpinsky, K-A-R-P-I-N-S-K-I, ID 6682. And also Detective Pfeifle, P-F-E-I-F-L-E, and ID Number?

DP: 9585.

KS: 9585. Crime Scene Videographer is Keith Thomas. I have no idea what your ID Number is, Keith, but you're back there. [pause] Okay, at my request, Officer Raja has agreed to provide a sworn videotaped recorded description of his recollections and actions regarding this criminal investigation. Officer Raja, have you had the opportunity to speak privately with legal counsel, Mr. Fagan?

NR: Yes, I've had.

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KS: Okay. Officer Raja, are you aware that a represent-, representative from the Internal Affairs Division will be monitoring this re-enactment, and this is not a, considered a Garrity-compelled statement.

NR: Yes.

KS: Okay.

NR: I understand.

KS: Officer Raja, are you aware this is a voluntary procedure, and that you may decline to continue at any time?

NR: Yes, I do.

KS: Okay. Do you feel as though you are emotionally prepared to provide an accurate re-enactment?

NR: Mmm, I believe so.

KS: Okay. Do you have any questions about the re-enactment procedure before we begin?

NR: [looking at LF] N---

LF: [to NR] No.

NR: --- no, no, no.

KS: Everything good?

NR: Yes, sir.

[background traffic/engine noises heard]

KS: Okay.

[background traffic/engine noises continue]

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KS: I'm gonna wait one second [due to background noises]. Okay. Having all this in mind, do you wish to proceed with the re-enactment?

NR: Yes, I do.

KS: Okay. Do you swear or affirm [NR raises his right hand] that the evidence you are about to provide will be the truth, the entire truth, and nothing but the truth?

NR: I do.

KS: Okay. What I want you to do is I want you to go into as great as detail as you can ---

NR: Okay.

KS: --- why you are here, how you came about this, but first I just have a few preliminary questions.

NR: Sure.

KS: You currently work for the Palm Beach County **Gardens** Police Department?

NR: Yes sir, I do.

KS: How long have you worked for them?

NR: Uh, since April of 2015.

KS: April of 2015?

NR: Yes, sir.

KS: Any previous law enforcement before that?

NR: Yes, sir, I was a Sergeant with Atlantis Police Department, ---

KS: Okay.

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NR: --- and I started in Atlantis, I think, 2007, and I came, uh, I just wanted more uh, once I topped out there, I wanted more.

KS: Okay. What are your current duty assignments here with Palm Beach Gardens?

NR: I'm currently assigned to road patrol on the midnight shift, late night, uh, 7:30 P, uh 1930 to 0630.

KS: Was that your shift uh.

LF: [to NR] Well, would you keep your voice up, I can't hear you.

NR: Okay, sorry.

KS: Was that your shift that you were working last night also?

NR: Yes, last night was my Friday. We work four day on, four day off schedule. Last night was my last day on.

KS: Okay. Um, what do you normally wear in your duties?

NR: On a normal days, uh, we, a full uniform with a badge and a name tag. And for the last, uh, since September 30th or so, we've had a lot of **RICO vehicle** burglaries in our area and everything, and we were getting hit with them a lot. So starting last week we started with this, we were setting up decoy cars, and at midnight I'm uh, Alpha1 cover shift. So basically I have beat 1, which is far out west and there's not really that much happens. So they also use me as a cover unit if, go on 94 here, and go pick this call up and everything. So since I don't n-, in my beat there's only PGA National and Marisol, the two communities, so at midnight I would go set up the decoy cars and everything like that. I would dress down in street clothes, and I've been doing this for the last four nights. And I would either take this van, or we have a gold Crown Victoria [camera swings to the right to view van] unmarked, and I would take that and basically drive around, uh, residential neighborhoods and everything with blacked-out, you know, windows down and seeing if I, see if we see any, uh, burglaries occurring.

KS: Okay. Did you have anything on you this evening after you dressed down, um, showing that you're a police officer?

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NR: Yes.

KS: Did you have a badge or anything with you?

NR: Uh, in-, inside, and first of all, uh, I always uh, have my wallet badge with me. [NR pulls his wallet out from his back jeans pocket]

KS: Alright.

NR: With the uh, police ID, which is per policy. Uh, and on top of that, inside my van, I had my tactical vest with had Police on the front, Police on the back, my name actually stitched onto the vest, Officer Raja. And I had my duty holster with me inside the thing. And the whole thing was uh, tonight specifically while I was in the van was, at the start of our rotation at the, in our line-up we were told that the nightclub down, right down the road on PGA and **RC RCA**, is called Lux, and across the road is Downtown at the Gardens is Dirty Martini.

CK: Lust?

NR: Lux. L-U-X.

KS: Lux.

CK: Okay.

NR: They were having a hip-hop concert tonight that there was supposed to be a huge crowd gathering tonight, so we decided to, if you open the back of the van up, you'll see eight riot shields, this and that gear, the loud speaker, crime scene tape, and uh, sticks, uh, you know. And our thing was this. Hey, if anything happens, if, you know if, if that uh, if there's a big incident at Lux, if there's a big fight and we need to clear the crowd, we're gonna forget about the 21, and report with the van immediately to Lux, so officers have quick access to it. And uh, so, and number two thing that was also was discussed was this. While I'm in street clothes, while I'm in this, I do not do any takedowns. I do not do anything, but just in case of emergency and something happens, you know, that's why I have the vest and everything identifying on me. I'm supposed to call the road unit to come out to handle any situation.

KS: Okay. Um, just to go back ---

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NR: Mmm-hmmm.

KS: --- kinda quick, for other people that aren't police officers, ---

NR: Yes, I'm sorry.

KS: --- if you would, just in the future, stop using the signal codes and stuff, 'cause somebody may not understand it, so.

NR: Okay, I won't.

KS: We use 94, which we know is back up, and ---

NR: Yeah.

KS: --- 21, which is burglaries.

NR: Yes.

KS: So, if, if you can just use plain talk ---

NR: Okay, no problem.

KS: --- for the future just in case 'cause some of the non-police officers may not understand what you were talking about ---

NR: Okay.

KS: --- at that point. Um. [to CK] You satisfied with that, or you wanna go into the re-enactment or?

CK: [to NR] You, you said, uh, you're supposed to call the backup during situations. What situations are you ---

NR: Like, ---

CK: --- supposed to call backup for?

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NR: --- like, for example, if I'm in one of the residential neighborhoods and I see a burglary occurring or something like that, or a suspicious vehicle or suspicious person. To call a marked unit to give 'em my position where I'm at and tell 'em hey, this is where this person is, too. And then once a marked unit comes out there, and makes an initial stop, comes in contact, you know, I'll throw my vest on if I need to and everything like that and then go ahead and make contact with 'em.

CK: Okay.

KS: Mmm-hmm.

CK: And uh, what, who, is there a person in charge of the tactical operation if you will?

NR: Uh, it was a lil---

CK: Like that operation?

NR: --- it wasn't really a tactical operation. It was just decided just amongst our, the early shift and late shift. So, uh, Sergeant Anderson, Sergeant Stragg, and Sergeant Garcia, who wasn't here tonight, are all aware of this, and they were monitoring. And one of the things was, I actually bring my laptop with our GPS unit everywhere. So one of the things was let's, hey so you guys know exactly where I'm sitting, watching what area and everything. And every time I was doing this, I was, I would go to my laptop, log it in, hey, I'm over here, and I would write in my notes that, uh, white undercover van or the gold Crown Victoria, this is where I'm at doing this.

CK: Okay. So when this operation began, ---

NR: Yes.

CK: --- did your whole shift sit down and uh, the Sergeants go over what the plan was, what you're to do, stuff like that?

NR: E-, e-, exactly. We, we, ---

CK: And all these rules that you're saying?

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NR: --- we verbally discussed everything, absolutely.

CK: Okay. Okay.

NR: It was a verbal agreement.

KS: And also you said you got your GPS in your laptop.

NR: Yes.

KS: So does everybody have access to wherever ---

NR: Yep.

KS: --- you are through GPS on their laptops so [UI]?

NR: Every single, every single officer, ---

KS: Okay.

NR: --- every single Sergeant and dispatch has a huge screen, and dispatch that has the GPS charts shows exactly where every unit is. So if something happens, if I'm in my car, I can't get the radio, I can always say, find my GPS location. That's an officer safety.

CK: And it's in this van now?

NR: It's in this van right now.

CK: And it's on?

NR: It's on right now. My laptop's in there, too. I actually have my, uh, one of, I, I, I took like two or three T-shirts just in case somebody walked past, so, you know, I threw one on top of the laptop. I threw one on top of the police vest, so you can't see ---

CK: Right.

NR: --- the police stuff and things like that.

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CK: Okay. Okay.

KS: [to CK] You ready?

CK: [to KS] Yes, sir.

KS: Okay, now, what I'd like you to do is go into what happened this evening? Start as far back as have to.

NR: Okay.

KS: Try to go into as much detail as you can.

NR: Okay.

KS: If you need to stop, stop. If you need a break, tell us, and let us know. Okay, and then try to be as elaborate as you can with ---

NR: Okay.

KS: --- what happened, how it happened, why it happened, and what, and what not.

NR: Absolutely.

KS: Okay?

[00:37:45 – [time stamp on video]]

NR: Uh, well tonight at, uh, I couldn't really start uh, this oper-, operation if you wanna call it, till midnight because I was actually a back-up officer on a domestic call in Evergreen. And the second I cleared the domestic call as the back-up officer, I, uh, went to the station, changed out and everything and threw, and got into the van and had the van prepped and everything like that. And I sent, uh, Sergeant Anderson a message, 'cause one of the things was we had uh, we were assuming that these people that were doing a lot of the burglaries are coming from, uh, the Jupiter area from, uh, the Heights. And we've checked, uh, and we've seen a couple of these suspicious people that we've, you know, checked out with before and everything like that, walking south on Military, walking south on Central. So I started my day with, I started on PGA. I went down

Military all the way down to Hood Road. I went into, uh, Donald Ross Village, drove around there, and then came down Central, down PGA. And then I came back here and went to the gas station and got myself a drink and some snacks, which are still inside the van. And I started to hit, uh, do the communities. And I was, as I was doing this, I was sending messages to Sergeant Anderson on the laptop, hey, I'm going to this community, this community, this is what I just did, this is what I just did, so he's aware of the whole, so the, the, the chain of command's going, ---

KS: Yeah.

NR: --- so he's aware of my, uh, location at all times. Uh, I did the first community was uh, The Isles. I did The Isles and I was about to go into Evergreen, which is on Hood and uh, uh, Military, on the, uh, on the northeast corner. Uh, and I was just about to go there and everything, and I remember that one of the, two units responded to a domestic disturbance at The Marriott and the Lux Club is located on the first floor of The Marriott. They responded to like on the fifth floor or something like that, to a domestic disturbance that was pretty heated. And uh s-, uh, Sergeant Anderson went there, too. And, uh, Sergeant Anderson was there. I remember him calling on the radio, "Hey, we have a disturbance going on downstairs in Lux in the night club. Have officers respond." So, I, you kept on hearing, uh, different officers res-, I had the radio on like officers, I'm on the way, I'm on the way. So in my mind I'm like, okay, this might be that call that you know, it, it just might break loose. So let me s-, take the van, get out of where I was and, and start heading down in this direction to be close to it just in case, if you know, something broke I have the riot gear and everything like that that we discussed about. So I turn on Military, from Military to PGA and I was going eastbound on PGA, and as I was coming here and everything, I saw this vehicle stopped here. Didn't see anybody inside, nothing. [camera pans to the right to show a vehicle next to the white van] And I called out, uh, I believe on the radio, and I said that I've got uh, uh, I thought it was a disabled vehicle on the side of the road, or an abandoned vehicle. So, I saw this vehicle and everything, and I was like, okay, I've got this vehicle on the side of the road, and you know, I'm gonna check out with it and make sure everything's okay. And, you know, when I drove past it, there was no, I could not see anything, any occupants inside the vehicle. Or if I ---

CK: You mean, you drove past it which way?

NR: Eastbound.

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CK: Okay.

NR: Eastbound. [pointing to his left] So I went down to the next light right there, I made a U-turn, came in here, and I was, as I was coming out I was like, you know, it's like alright, it's just an abandoned vehicle. This is the on-ramp. I'm just gonna pull in front of it like this and park in front and put my flashers on and give dispatch the tag to see if I can see the owner. Maybe they walked to the gas station, or have it towed. Do what we need to do. But, you know, it's like and, and this is where I, I, like, like I, I'm kinda like kicking myself in the ass like, you know, it's like thinking about hindsight. It's like on, you know, golden rule, it's like, you know, always act like a vehicle's always occupied. Never take that chance of like, you know, this vehicle not being unoccupied. If I knew the vehicle was occupied, I would never put myself in a fatal **frontal funnel** situation like this by pulling in front of it. [camera pans to the right with car and van in view] And I didn't think there was anybody in there. And as I got close to the vehicle, and uh, the door swung open and, uh, this guy jumps outside immediately. He got out of the van and then he's like, "I'm okay, I'm okay, man." And at which point I said, "Hey, man, police, can I help you?" And the second I said police, he jumped back and I clearly remember him drawing and don't, pointing a gun at me. I saw that silver muzzle, and he had, I can swear on this, he had a Laser Max laser and the guide rod on the gun, and I saw that red light, with that Laser Max flashing at me. And I immediately just shouted, "Drop the gun," and [sighs] I'm sorry. That's like.

CK: That's ---

LF: Yep, yep.

CK: --- take a deep, take a deep breath. Let's do this.

NR: Mmmm-hmm.

CK: Okay? Do you need a drink?

NR: No, no, no, I'm, I'm [UI].

CK: Do you need, okay? Listen, I want you to take your time. I want you to be okay. Listen, [to KS] uh, why don't we walk over here.

KS: Can you go over here ---

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NR: Yeah, yeah.

KS: --- and show us where you were when this happened?

CK: [UI].

NR: Ab-, ab-, absolutely.

[00:33:22 – 00:33:14 – [time stamp on video] - all walk towards the van and other vehicle still in the street]

KS: And when you got out of the van, ---

NR: I, uh.

KS: --- which way did you go?

NR: Right here. [standing in front of the van] I came right here.

CK: Hold on one second.

KS: Yeah.

CK: Come back here.

NR: Yes, sir. Yes, sir.

KS: Yes sir, come back here.

NR: [walking back towards the open van door]

KS: [to CK] Go ahead.

CK: [UI].

KS: Now when you got out of the van, which way did you go?

NR: In front. This is just like how it was.

KS: Okay.

NR: Do.

KS: Yeah, uh, ---

NR: Oh, okay.

KS: --- go ahead and.

NR: I immediately jumped out and I came right here. [moves around the driver door to the front of the van] And at that point, I didn't, I didn't have uh, what I had on me, the only thing I had on me, because I was, uh, in plain, like my gun was still inside, my duty gun. My vest was inside. And the only thing I had was my backup gun, my, uh, department-approved backup gun in, uh, in a waistband holster inside with the shirt tucked in like this, and I said, and I immediately said, "Hey, man, police, can I help you?" And at which point that's when he jumped back and I saw him draw the gun right at me right after I said the word police, and it was just like fuck. And it was just I, I, I kinda got like caught with my pants down at that point. And it just immediately it's like uh, I apologize. [NR becomes emotional] It's just like, you know, your family flashed in front of you, your kids flashed in front of you, and you're just like fuck, and it's just, and just immediately I do that **drew down**. I was like, "Drop the gun! Drop the gun!" And he, and he didn't, he was right there. And I remember pulling the trigger, I think two to three times, and he started running. And as he was running, I had my cell phone and I dialed and I still remember putting my code in, and just like this, I had the gun and I'm keeping an eye on this guy. And I put my code in and dialed 9-1-1, and I called dispatch right, 'cause my radio was in the van. And the whole time I'm like giving him commands. I'm yelling and screaming at the top, I'm like, "Drop the gun! Drop the gun! Drop the gun!" And as he's running, he gets about like right just a little past where the guard rail starts, and he's, he does this number. And I see his whole body spin, and I saw like a flash, a silver flash, it was like a metallic flash come at me, and in my head I immediately fuckin' said, aim, aim! And I was like aim! And I was like, and I picked that front **side sight** right in the center mass and I just pulled the trigger three times and I saw him drop, and I saw something silver fall. And, at which when I was still on the phone with dispatch, dispatch was like, "Get your radio, get your radio." And I just held what I had right there, I couldn't really see where he dropped, what happened, if he moved or anything.

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And I'm like, "I don't see him, I don't have a visual on him, I don't have a visual," and I started to walk backwards and everything, and came back to the van, grabbed my radio, grabbed everything and called out on the radio. And that happened, and Sergeant Spragg was the first one and I can't remember if it was one of the Taurus', new Taurus' were responding. And they actually thought it happened in Double Tree. And I got on the radio and it's like, "Guys, I'm right here, I'm right here," and they quickly turned in right here, and uh, it was Arlotta, Niko Arlotta [PH]. And Arlotta had his rifle slung up and Spragg, I think, I'm like, "Guys, I lost sight of him right there."

CK: Well do me, do me a favor.

NR: Yes, sir.

CK: I want, I want, this is for you, ---

NR: I'm sorry.

CK: --- uh, just take a deep breath, okay?

NR: I'm just, uh.

CK: 'Cause I'm, I'm having trouble. You're, you're a fast talker.

NR: Yeah, I'm just.

CK: And you're explaining everything. I wanna be able to understand and make sure everyone's good. But I wanna also give you a break to try and get some oxygen in you.

KS: Yeah. [laughs]

NR: I'm, I'm sorry, it's just the, the whole kids ---

KS: That's fine.

NR: --- thing that gets to me.

CK: No, okay.

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KS: Absolutely.

CK: That's, that's perfect. Uh. [to KS] Did you have a question?

KS: I do. I do.

NR: Yes.

KS: Now while you were goin' through this, at any time did that individual fire at you? Did, do you know if the gun went off?

NR: [sighs] I don't, uh, honestly. I, I was screaming at the top of my lungs. I was screaming drop the, and the only thing I can think of was like, like, I'm saying "Drop the gun." I announced myself as the police. Why the fuck is this guy pointing a gun at me? What the f-, like. It was just.

KS: Okay.

NR: I don't know if he fired a round at me. I don't remember.

KS: Okay. Um. At any point, did you have any contact with that individual? Any kind of personal contact did you?

NR: No, no, no.

KS: When you were walkin' up?

NR: No as, uh, again, like he jumped up and he said, "Hey, I'm okay," and I said, and I came out I said, I said, my exact words were like, and [UI] was speaking a lot **I made sure I was speaking loud**, I'm like, I'm like, "Hey, man, police, can I help you?" And immediately he, and he does a step back and kinda like, well, and just draws the gun and uh, basically as you're standing right here, do you mind if I? [pointing in direction behind him]

KS: Yeah, absolutely. Where was, uh.

CK: [in distance] Well, hold on one second ---

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KS: No, no, no.

CK: --- I gotta come close.

NR: Sure, sure.

KS: Okay.

CK: You said you got out of the van here. You had ---

NR: Im-, immediately.

CK: --- indicated earlier you put your flashers on? You said something about putting your flashers on?

NR: No, no, that, my game plan, my game plan, as I was coming from PGA ---

CK: Okay.

NR: --- was this, I thought it was a disabled vehicle, so I was gonna pull in front of the van ---

CK: Okay.

NR: --- in, in front of that, see, and put my flashers on, walk out and, you know, see what's goin' on, and call out the tag and call a tens-, uh, or call a tow truck ---

CK: Okay.

NR: --- if I needed to get the, the vehicle removed. I thought it was a broke down vehicle.

CK: Okay.

NR: There was nobody in it.

CK: Okay. And is there a reason why you stopped here instead of pulling up ---

KS: Yeah.

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CK: --- in front of the disabled?

NR: 'Cause the guy jumped, the guy jumped out.

CK: He jumped out his.

NR: Exactly, uh.

CK: While you were in the car, he jumped out?

NR: He jumped out, and I immediately jumped out, too.

CK: Okay. Um. You were dressed exactly like this?

NR: Exactly.

CK: Nothing more, nothing less?

NR: Exactly.

KS: [OV] [UI].

NR: Exactly.

CK: Except for the radio mike?

NR: Exactly like this, and I had my holster which was covered.

CK: Was your ho-, it was covered?

NR: It was covered, it wasn't out.

CK: When you have your gun in your waistband, does, is, is it obvious that you're carrying a gun?

NR: No [UI]. [shaking his head no] Mmm-hmm.

CK: There's no big bulge like.

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NR: Mmm-hmm. There's, I have, I have a big stomach so it kinda overhangs over the holster.
[laughs]

CK: I got you [UI].

KS: Were you wearing that same hat?

NR: Ex-, exactly, ---

KS: Okay.

NR: --- just like this.

CK: Okay.

NR: --- just like this.

CK: Okay. And you said you started firing. Was that around this area?

NR: Uh. [turn around] I, I believe I, uh, uh, uh [sighs] [walking towards victim's car] I'm trying to think, it's like, I, I remember he came out, I said, "Drop, ---

KS: [coughs] Mmm-hmm.

NR: --- drop." I, it m-.

LF: But I can't hear you.

KS: Yeah, but hold on.

NR: I'm, I'm sorry, I'm, uh, I'm thinking, and I, I, I c-, I know if, I, I know when he had the gun pointed at me around the car and everything, I fired, I know that, I. [sighs]

KS: Do you remember exactly where he was at when he, he.

NR: [points straight ahead]

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KS: And let me go back. You said that you got out, you jumped out, ---

NR: Yes.

KS: --- and you came around here.

NR: Mmm-hmm.

KS: When did the gun come into play, and where did it come from?

NR: See, he jumped out immediately and said, "I'm okay, man." Uh, he said, "I'm okay, I'm okay," and I said, "Hey, man, police, can I help? Can I help you?" And second, I said, uh, I, I remember. [walking to driver's door of victim's car]

KS: Please don't touch anything.

CK: [UI] yeah, don't touch.

NR: Yeah [UI] exactly, I'm not touching anything.

KS: You can go near it, just don't touch.

NR: No. The, I remember clearly seeing this, the gun was right here. I remember seeing it above the door level, and it was in this area right here pointing at my, directly at me. And I remember seeing, it was a silver gun. I could clearly see the hole of the muzzle, and I could see that Laser Max laser in the guide rod flickering. [makes noises] It was like flickers red, uh, red, on and off, on and off.

KS: Okay. [pause] So, he was in this area right here? [pointing to driver's seat area]

NR: Yeah, yeah, he was in this vicinity, ---

KS: Uh-huh.

NR: --- somewhere in this vicinity.

CK: Okay. Do you want to [handing NR a small red cone], why don't you ---

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NR: Oh. [takes red cone]

: Okay.

CK: --- do you recall where you were standing? I know you had some difficulty. Do you know approximately where?

NR: [Pointing] Somewhere in, in, in this vicinity somewhere. I don't recall exactly where.

CK: Okay. Why don't you do this. Somewhere between where and where.

NR: [sighs] [walking towards white van] Uh, let me see.

[00:26:27 – 00:26:22 – [time stamp on video] – NR retracing steps]

NR: I. [sighs]

[00:26:21 – 00:26:17 – [time stamp on video] – NR continues retracing steps]

NR: I totally.

[00:26:17 – 00:26:12 – [time stamp on video] – NR continues retracing steps]

NR: If, if I, uh, if I had to say something I would probably say about like in the, in the, in this region right here. [NR pointing to area between victim's car and white van] This would be, this would.

CK: Well, I don't want you to have to say anything, that's why I asked you ---

NR: Uh-huh, uh, exactly.

CK: --- approximate, so.

NR: I, I, I, I g-.

CK: If you're safe saying where your attorney is standing [LF standing at front of victim car], and somewhere between there ---

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NR: It, it, it, it's ---

CK: --- and somewhere, you just let me know.

NR: --- it, it's somewhere in this area ---

CK: Okay.

NR: --- right here.

CK: Put this at the western boundary of any possibility of where you were standing.

NR: [placing pink cone on ground in front of him] Okay, I'm gonna put it about here, about here, let's say.

CK: [handing NR another pink cone] And put this at the eastern.

KS: Eastern.

CK: And take your time and arrange 'em how you want.

NR: Okay.

[00:25:43 – 00:25:37 – [time stamp on video] – NR retracing steps with pink cone in his hand]

NR: See, I'm, I know I never went that far.

[00:25:35 – 00:25:31 – [time stamp on video] – NR continues retracing area]

NR: I'm gonna probably say about here. [NR places pink cone down on the ground]

KS: Mmm-hmmm.

CK: Okay, so somewhere between Number 1 and Number 2 ---

NR: Yes.

CK: --- it's safe to say this is where you, ---

NR: Yes, sir.

CK: --- uh.

KS: And that's when you initially came into engagement?

NR: Well, like verbal engagement or actually [UI]?

KS: Well, you had spoke to him, when, when did you specifically see the threat?

NR: Right around this area. When, when, uh, because as it was happening, uh, and I turned around, and I was in this area when I said, "Hey, man, police, how can I help you?" And I said that clearly, and when I said that and he immediately just jumped, and I just, I, I remember this action right here [NR re-enacting extended arm of victim], and I remember seeing that fuckin' muzzle that handgun on me.

CK: Okay. [pause] Then what happened ---

NR: Okay, and.

CK: --- after that?

NR: Th-, and then he started running in this direction [NR extends his right arm straight ahead] right here, just as you could, at like, like.

KS: Which, which side of the guard rail?

NR: On the western side of the guard rail.

KS: So he's in the grass.

NR: On, on to the grass, on the grass, yes.

KS: Okay.

[Note: NR, CK, KS, LF and others at the scene start to walk towards the back of the victim's car]

NR: He started running on the grass and [pause] and if I'm thinking, and I start, and this is where I grabbed my phone and I started running after him with my gun still pointing in his direction screaming, and I was calling 9-1-1 and I was yelling. It was like, "Drop the gun. Drop the gun, drop the gun." And, uh, I was screaming at the top of my lungs.

KS: What was he doing at that point?

NR: He was running, and right when he got about, uh, I think it was.

[Note: NR, CK, KS, LF and others are walking with NR as NR describes the events of the shooting]

NR: 'Cause this is where I started to walk. I, I remember I was around that area by that pole when I decided to walk back to get my radio again, 'cause Dispatch was like, "Go get your radio, Raj, go get your radio." And [NR continues walking] [sighs] I.

KS: Just be careful right here, too.

NR: [NR swerve to avoid yellow cones on ground] Oh, oh, I'm sorry, I'm sorry.

KS: Yeah.

NR: And I remember over here is where I was, and he must have been [pause], uh, do you see this plant right here? [NR pointing to plant in the distance]. This, this big bush?

KS: The, the big clump?

NR: Yeah, the big clump? Just where the ditch is right there in front of it, kinda like? He was in that area and that's when he did the spin. Then I was yelling like, "Drop the gun, drop the gun." And I saw him go like this [NR pulls his right arm up]. And, and I remember saying to myself, aim, I still remember, and I was like aim! And I put that front **site sight** right in the center mass and I squeezed. I, I, think, I believe, two rounds.

KS: Okay.

NR: And I saw him drop at which point, and when he dropped and everything, and I started going up, and I couldn't see him. And I was like, "I lost sight of him, I lost sight of him." And they're like, "Go get your radio, go get your radio," and I started to go and I was like just pelling back and everything. And the guys came and I was like, "Look, I lost sight of him right there. I don't know where he went to." And I think, uh, one of the officers was up north and he's like, "I think I see something up there," and this and that, so. And then Sergeant uh, Spragg or Sergeant Anderson, one of the sergeants, he was like, "Raj, come show me exactly where was the last point you saw him." So I started walking up the guard rail. As I started walking up, we saw him right there.

KS: Okay. What happened after that?

NR: Well once we saw him and everything, his l-, he was laying face down, and both his hands were tucked underneath him. So Sergeant Anderson came to my left, he brought a shield. He was shield c-, I was shield covered behind him, and Sergeant Spragg came to the north side of us from the, almost at the tree, and he had a rifle out. And we said, "Okay, we need to approach to make sure that, you know, he's still not armed, and what's goin' on and everything." So we slowly approached him and everything like that. But before that, uh, when they came, I ran to my van. I immediately put on my vest, and I immediately clipped on my, uh, thigh holster, my duty gun. So once, uh, once we start to approach him and everything like that, he still wasn't moving, we gave him, I, I think, I think we gave him a couple verbal commands. He didn't respond. And Sergeant Spragg said, "Raj, go ahead and holster, hand, go hands-on with him." I holstered immediately and they said they, they've got cover. I grabbed one arm and pulled it out. I grabbed the other arm and pulled it out, and then we said let's, and Sergeant Anderson or Spragg said, "Flip him and make sure he's not laying on top of the gun," and we just pulled him back, flipped him back, and saw there was no gun visible and everything, then Sergeant Spragg said, "Okay, call Fire Rescue. Alright, it's clear." And I came back here and there was a rescue truck here, and I was covered in his blood, and I was like, "Uh, can you just get this off me." And they took like hydrogen peroxide and just started pouring it all over me, started washing me.

CK: All over you?

NR: Yeah.

KS: Mmmm-hmm.

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NR: On, on my hands and arms.

KS: Okay.

NR: And, uh, uh, then I th-, I th-, I think then either sometime around that time and everything like that, I remember Sergeant **Mall [PH] Mull** was there, and I was like, "Sarg, here's the gun that I used right here," and I gave him the gun with the holster and the extra mag and everything just like that, and I think he put 'em in his trunk.

KS: Okay. Alright, um.

[00:21:00 – 00:20:52 – [time stamp on video] – pause in conversations]

CK: [to KS] Can I clarify a couple things?

KS: Go ahead.

CK: The shirt you have on.

NR: Yes, sir.

CK: Is that the shirt you had on at the time?

NR: Ex- exactly, just like this.

CK: It's on inside out.

NR: Inside out because it uh, it's, it's a shirt with a American flag on it. [NR pulling up each of his short sleeves]

CK: Okay.

NR: And the, the night before I had a green shirt like this with an American flag, and one of the officers were like, like that gives you away as a cop, you got a flag on your shirt, I was like alright, they're gonna flip it inside out.

CK: Okay.

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NR: So I flipped it.

CK: Um, let's talk about conditions. Right now I can see you. There's no street lights on.

NR: Mmm-hmm.

CK: The sun's well, the sun has risen and you can see. You wanna tell me about the conditions at 3:15.

NR: Up front, when I was right there with him, I could see him crystal clear. But when he started to run away from me, all I could see was a silhouette. And I could, I could see his face, I could see this, and I could see his like body movements and stuff, like, I could. He was wearing a black shirt, but you could, like he wasn't, like he wasn't really that dark black-skinned. Like he was, he was, uh, like just maybe a couple of shades darker than me, so you could make out this is where his shirt stopped, this is where his arm stopped. And I could see him turn. And I coulda sworn I saw that, like that silver thing, like when he turned I saw something silver in his hand turn, and that's when I was like aim, and squeezed off a few rounds. And the whole time I'm on the phone with Dispatch.

CK: You said he pointed, he, he pulled a gun at you at his ---

NR: Over there.

CK: --- right outside of his door, ---

NR: Right up, yeah.

CK: --- or in uh, in the, uh, ---

NR: In, in that vicinity, yeah, yeah.

CK: --- in the [UI] whatever. And you said, you described it was what?

NR: I saw a silver muzzle. I could clearly see the bore size hole, and underneath it where the guide rod goes, if the handgun [UI] anything like that. He had a Laser Max laser which blinks.

CK: [shakes head yes]

NR: And I'm speaking this from experience because I'm a firearms instructor and I, I teach civilian, I teach at the Police Academy and everything, and I can clearly identify a firearm when I see one, and this, this specifically when it's pointed in my direction.

CK: And you indicated, you testified that you were, you're pretty quick on the draw.

NR: Yes.

CK: You said you drew it out quick.

NR: Uh, uh, I was.

CK: Are you pretty quick with?

NR: I, I practice like there's no.

CK: [UI].

NR: I practice all the time.

CK: And he pointed his gun at you at, out there?

NR: Out there. Exactly, he pointed, he [UI] like uh, when I said, "Hey, man, police, can I help you?" and that's when he pointed the, jumped back and pointed the gun at me and everything, but.

CK: Okay. Why didn't you shoot him there?

NR: [sighs] I, I, I thought I, I shoot, shot him there. I thought I pulled the trigger.

CK: What's that?

NR: I, I thought I shot him. I thought I shot at him.

CK: When you first pulled out your gun?

NR: Yeah. When I first pulled ---

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KS: [OV] Maybe back there.

NR: --- out the gun, I gave him like, "Drop the gun, drop the gun!"

CK: [shakes head yes]

NR: And when he, and, and when he didn't, I think I s-, I, I believe I shot him there.

CK: Okay. Okay. How many rounds do you think you fired in total?

NR: Five.

CK: Okay.

NR: Maybe six, or five. I don't [OV] [UI].

KS: And what kind of gun is it? What kind of weapon?

NR: It's a Glock 27, 40 caliber.

KS: The mini Glock?

NR: Yeah, the mini Glock, yeah, ---

KS: Yeah.

NR: --- the mini Glock, yeah, **the baby Glock**.

CK: Did you, did you, when he pointed the gun at you, and you pulled your gun and you thought you fired, could you, at any point, either there or down there, see if, uh, muzzle flash. You're familiar with muzzle flash?

NR: Yes, absolutely, I.

CK: You're a firearms instructor?

NR: Yes, I.

CK: Did you ever see that come out of his gun?

NR: I didn't s-, I didn't even see my own muzzle flash. I didn't even hear my, uh, own gun go off. All I remember was just the motion of pulling that trigger. I didn't, I didn't even know if I, I, I couldn't even hear my own band. I think I was just so like, "Drop the gun, drop the gun." I don't think I even heard my own gun go off.

CK: Okay.

KS: Mmm-hmm.

CK: Would you describe your demeanor, or I shouldn't say demeanor, ---

NR: Mmm-hmm.

CK: --- for lack of a term here. As police officers, we often, uh, uh, patrol with uh, kind of a heightened sense of alertness.

NR: Mmm-hmm.

CK: Because, ---

NR: Yeah.

KS: Or awareness.

CK: --- does that make sense?

NR: I was uh.

CK: Do you think that you're level was, how would you describe your level of alertness when you first saw this car, and then before he pulled the firearm out?

NR: I, first of all, I didn't even know he was inside the car.

CK: Right.

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NR: And, and that's, that's exactly what I'm talking about. I'm kicking myself in the ass and I know hindsight's 20/20. And I preach this at the Academy. Always, you know, when you see an abandoned vehicle, when you see something like that, always treat it like there's somebody inside 'cause you never know. And I go and do the cynical [UI]. Like if I knew there was a guy inside, why the fuck, I wouldn't do something stupid like this by pulling in front of the car like that. 'Cause I drove by I was, oh, there's nobody, and I came and made the U-turn and I'm watching. There's nobody inside the car. I'm like, oh man, they probably ran out of gas and walked to the corner gas station or something like that. So let me just pull in front of it. I'll put my flashers on and everything. Hey, call out the tag, call out the, you know, like some broke down vehicle and everything, and see if it needs to be towed or what, and.

CK: So the only reason you got out there ---

NR: Was 'cause he jumped out.

CK: --- is because he jumped out?

NR: Yeah. [laughs]

CK: Okay.

KS: Okay. Well.

NR: He caught me off guard and it's, again, like I, I preach that stuff and I, why not, uh.

TW: Officer Raja, at one point ---

KS: Yo.

TW: --- you said that when he got out, you said, "Hey, man, police." Right?

NR: Yes.

TW: "Can I help you?" At what point did he say, what or what, he said something, correct?

NR: He said right off, the second he got out the car, I jumped out immediately. He said, "I'm good, man, I'm good."

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TW: Even before or after you said police?

NR: Even, even before. That was the first words. He said, "Hey, man, I'm good, I'm good." And I responded with, "Hey, man, police, can I help you?"

KS: Did he say anything after that?

NR: No. That was, that, that, that was like the clicker, I was like wait a minute. A normal person would be like, you know, if a normal human being was broken down and I, I identified myself as a police officer, like wanting to, I was on the [UI] like, no, no, I'm good, I'm waiting for someone to come bring the gas, or, or I called a tow truck already or whatever the case might be. And he immediately just jumped back when I saw that fuckin' gun come at me, and at that point it's like, he knows I'm a cop. I identified myself and this guy's tryin' to kill me and I was, and I, I didn't wanna die.

KS: Did you have anything out that would identify yourself physically as a police officer?

NR: I didn't even get a chance to even grab my wallet out because, the funny thing is earlier in the night I was in, uh, uh, The Isles, when I was doing my patrol in The Isles. As you enter The Isles, you make the first right. And there was a gentleman walking his dog and he immediately saw me and, and because I was blacked out in a van driving around, and I immediately grabbed my wallet and I went like this, I was like, "Sir, I'm a police officer. It's okay, we're here doing surveillance and everything," so I know to identify myself right off the bat. But it happened so quick. He drew that gun so quick on me.

KS: Okay. Okay.

CK: Do you have the holster for your gun ---

NR: Yeah.

CK: --- with you?

NR: No, they have it.

CK: What is the attachment you have on your belt there?

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NR: Uh, this is for my leg holster.

CK: Okay.

NR: That's the one.

CK: Did you have that tactical belt on at the time?

NR: Yes. This is the same exact belt I had on.

CK: Okay.

NR: This right here. I had it in the waistband holster. And the whole thing with the drop leg holster was, you know, if I do need to go out or something like that, put the vest on, put the holster on and then go.

CK: Okay. Uh, let's talk about two other things.

NR: Yes, sir.

CK: The, uh, when you said you, you swore you shot up there ---

NR: Uh-huh.

CK: --- when he first pulled the gun at you? Did you see if it had an impact on him?

NR: I couldn't tell. I, I was looking [UI].

: Did you notice ---

CK: Oooh, oooh, oooh.

CK: Were you watching him?

NR: Uh, uh, uh, uh, my, my aim was, I was watching that gun.

CK: Did he fall down?

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NR: No.

CK: Did he stumble? Did he say ouch or you shot me or anything?

NR: [makes gesture]

KS: Did he say anything at that point?

NR: Uh, nothing, nothing was said and nothing was, and he was just pointing the gun right. I [UI].

KS: No body reaction to indicate something may have occurred?

NR: He's, no nothing, just flight at that point.

KS: Okay.

CK: And uh, which hand was he holding the gun in?

NR: Right.

CK: Okay.

KS: And again, do you remember where it came from?

NR: He was, like again, like my view was blocked by that door a lot ---

KS: Okay.

NR: --- so I couldn't tell if he had it in his waist, if it had it in the door, if he had it on the seat, I don't know.

KS: Okay.

NR: I remember seeing that thing coming right at me.

TW: [UI].

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CK: When he ran, when he ran, was he full sprint back?

NR: [sighs] I, I saw him running. I, I.

CK: Was it fast?

NR: Not, not fa-, not fast. It wasn't fast 'cause I, I'm, uh, 'cause I, I still had, like he was a f-, I, I guess he was, you could say if he was in a full sprint trying to run away, he would probably made it a lot further.

CK: Okay.

NR: And.

CK: I'm gonna, I'm gonna ask you to do one thing after ---

NR: Yes, sir.

CK: --- I ask you one more question. The blood, you said you got blood all over you.

NR: Yes.

CK: How did you do that?

NR: When we went, once we found his body and everything, and it was only me, Sergeant Spragg and Sergeant Anderson, and when we saw his body, we flashed a light on him. We, and we were up here at this guard rail, and right kinda like, uh, where this emergency truck is sitting at? [camera spans to the right where emergency truck is seen]. And we looked down and we were like, "Uh, there he is." He hands were tucked underneath him.

CK: Right.

NR: We couldn't even see his hands. So a Sarg-, one of the sergeant's said, "We need to go make sure that he doesn't, his, his, uh, you know, that he's not alive still, he's not holding onto the weapon," and everything like that. And Sergeant Anderson had the shield out. I was behind him in shield cover like this, and Sergeant Spragg was a little further from me with a rifle out, and we slowly approached the body. Uh, I think, I think we gave some

verbal commands, "Show me your hands, show me your hands," and nothing happened. He didn't move. He didn't even flinch. And at uh, Sergeant Spragg said, "Raj, we got cover. Holster up. We gotta pull his hands out." And so at, I holstered, I pulled his hand out, I pulled the other hand out, and then uh, I'm not sure if it was Sergeant Spragg or Sergeant Anderson that said, "Let's flip 'em just to make sure that, that he's not laying on top of the gun." So, I grabbed his arm and I flipped him. There was no gun, nothing seen, so Sergeant Spragg was like, "Okay, he's clear. Let's call, uh, Fire Rescue up," and I walked about like, "I'm gonna go wash myself. I'm covered in blood."

CK: And where did you do that at?

NR: Uh, I mo-, there was a Rescue, there was a fire truck [camera spans to the right where emergency truck is seen] and a ambulance by, right behind it, with the rescue, and I walked back there, I was like, "I need to wash this off me." And uh, p-, and uh, the firefighter, she grabbed a bottle of hydrogen peroxide, popped it, and just started dumping it all over me, and I was just washing myself.

CK: Okay.

KS: Now to go back when, when the gentleman was rolled over, ---

NR: Yes, sir.

KS: --- did you, did anybody check him ---

NR: No.

KS: --- to see if he had any other kind ---

NR: No.

KS: --- of weapons.

NR: No.

KS: Did you see anything on the ground around him?

NR: We just, we just kinda like did this and everything, and Sergeant Anderson was like, "We need to get out of this. We need to, we can't com-, we shouldn't contaminate this crime scene anymore."

KS: And you didn't see anything ---

NR: Uh, and the immediate, ---

KS: --- out of the ordinary?

NR: --- the immediate area, no.

KS: Okay.

CK: Was that truck here when, when this happened?

NR: No, this truck was like way towards the end. They just needed more lights, so they called it in.

CK: Just making sure. And uh, did you have anything, uh, to do with recovering any piece of evidence around here?

NR: N-, no it's.

CK: Whether it be shell casings or guns or anything like that?

NR: The second that happened, the second I washed my hands, uh, Sergeant Anderson was like, "Raj, you need to be with me," and he took me, do you see where those officers are s-, s-, where those guys are standing right there by that car? [camera spans to the left where marked police van is seen with officers]

CK: Yeah. Yes.

NR: Right there, and I was there for the rest of the, till our command bus.

CK: You never entered the crime scene again ---

NR: No.

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CK: --- until you did this ---

NR: No.

CK: --- right now?

NR: Yeah.

KS: Did you get into a car, or were you still outside?

NR: No, I was outside the car the whole time till the command bus, our command bus came and I got into our command bus, and then your command bus came and I switched over to yours.

KS: Okay.

[00:10:33 – 00:10:28 – [time stamp on video] - pause in conversations]

LF: What's the first thing he did when you yelled police again?

NR: The second I said, uh, "Hey, man, police" he immediately just stepped back and I saw, I remember clearly seeing that gun over that door pointing right at me.

CK: Tell me, tell me about, you, you mentioned your, uh, I want you to talk about your emotions at the time of the entire incident, but take it from when you, when he first popped out of the car. Uh, you thought it was unoccupied you said?

NR: Yeah, I, uh, uh.

CK: Tell me about your emotions and, and how they progressed during this?

NR: Okay, well again, like I said, uh, I couldn't see any occupants inside the vehicle at all. I thought the vehicle was completely unoccupied that's why I pulled up like I, like, like a retard in front of the vehicle because my whole plan was I'm gonna pull in front. If I put my flasher on and make sure, you know, let Dispatch know, hey, there's a car abandoned over here on the side of the road, or there's this, I'm gonna go check at the gas station and everything.

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CK: Right.

NR: And, but the second as I come, the guy pops out of, out of nowhere, jumps out, and I saw the [makes noise]. And I immediately, I'm just used to, you know, throwing that thing in park and jumping out of the car. Just like, you know, the training what we do almost every, on a daily basis. And it just immediately my training just kicked in. I didn't even have to think about it, and that was like. And it's the holster thing, like when I saw that gun and I drew on him, and I was like, and I'm like questioning myself, how did I draw that quick on this guy? And it went from like, I'm gonna say it's nothing, it's just a car broken down to holy fuck, I'm about to die. And it was just uh, uh, like. You immediately like think of your f-. [NR becomes emotional] [pause] You know, all I could think of was just, the night before I went home and my wife saw me in plain clothes and she's like, "What are you doing?" I was like, "I was doing surveillance last night." And the first words out of her mouth was, "Where's your vest?" I'm like, "Honey, it's inside the van. It's next to me. If I need it, I can throw it on and everything." And all I could think of was my fuckin' kids, man. [NR gets emotional] I'm sorry.

[00:08:34 – 00:08:31 – [time stamp on video] - pause in conversation]

CK: [to KS] Do you have anything else [UI]?

KS: Yeah, [UI] just one more question.

TW: Yeah, I asked him.

[00:08:26 – 00:08:22 – [time stamp on video] - pause in conversations]

KS: You okay?

NR: Yeah. Yeah.

KS: Okay. Now when he got out of the car, how did he get out of that car? Did it look like he had just opened up the door and stepped out?

NR: I saw him pop ---

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KS: I mean what was uh?

NR: --- up fast, like, ---

KS: Okay.

NR: --- like I could, like I couldn't tell you like if he stepped to the left foot or right foot, 'cause I, 'cause, you know, my van's a pretty high van and it was blocked. I just saw him pop out like, like right there, but [UI]. And it just caught me off guard, it's like what the fuck?

KS: Okay.

TW: That red laser, you said that, did it flash or was it steady like?

NR: It was, uh, flickering.

TW: It was flickering [UI]?

NR: Yeah.

TW: Now, you, you said you know about guns.

NR: Yes, sir. La-, Laser Max is the only company that makes a laser that goes in the guide wad of the gun, and they're not a steady laser. They're supposed, they're designed to flicker like that to give you like hey, hey, this is where I'm at.

TW: And did you see, were you there when, uh, was there, if there was a gun recovered, were you there, or did you see it afterwards?

NR: I, I haven't seen a gun. I haven't seen anything. I'm, I'm again, like, you know, after we got the body and everything, after I washed my hands, they immediately took me over there and I've been there the, you know, the whole time.

KS: Now you said you saw the laser, did you see the end point of that ---

NR: Oh, uh.

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KS: --- laser at any point?

NR: The, the ---

KS: Where.

NR: --- the la-, oh like where was, uh, no.

KS: Yeah.

NR: I had no idea.

KS: Okay.

[00:07:13 – 00:07:11 – [time stamp on video] - pause in conversations]

CK: Okay. Uh, two more things.

NR: Yes, sir.

CK: Do you remember when you discharged your weapon, you said you believed it was down there, ---

NR: Uh-huh.

CK: --- did you discharge it anywhere over here?

NR: Yes, I discharged it in the, and this, this is what I'm saying, it's like when we, when he was running, and I was going after him, I was yelling, I was like, "Drop the gun, drop the gun, I'm gonna fuckin' kill you, drop the gun," and I'm yelling at this guy to drop the gun at the top of my lungs. And I see him do one of these numbers come back, and all I remember saying to myself in my head was like aim! And I even, [UI] I yelled I'm like aim! And I put that front **side (sight)** right into the black silhouette and I squeezed again.

CK: Do me a favor. As best you can, the same thing --- [CK hands NR another pink cone]

NR: Uhh.

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CK: --- approximate where you were. Again, I know it's just an approximation.

[00:06:32 – 00:06:29 – [time stamp on video] - NR, CK, KS and LF begin walking towards the victim's car and white van]

NR: I remember [UI].

CK: [to KS] [UI].

KS: [laughs]

NR: I'll, like again do you have this like in the area? [laughs]

CK: Yeah.

NR: [UI].

KS: Yeah. Now which one is this? 'Cause you had testified earlier that you shot twice.

NR: Yes.

KS: This is the second ---

NR: This is the second, ---

KS: --- or the first?

NR: --- the second series.

KS: Okay.

NR: The first series, second series.

KS: Very good.

NR: Uh, I probably. I was [UI – mumbling to himself while holding 2 pink cones]. Oh, I [UI].

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KS: Woop, let me get out of your way.

NR: It looks like, uh. [places one pink cone on the ground]

NR: I'll probably have to say somewhere around, [UI] almost here and [UI]. [NR places second pink cone on the ground after he walks a short distance].

KS: Yep, watch [UI] behind you.

NR: It was somewhere in this. 'Cause I remember, I remember I came, I remember I didn't hug the guard rail. I remember I was coming wide. I remember I was coming wide and I'm, and I remember yelling aim.

KS: So it was in this general area?

NR: Uh, in this general area.

KS: Okay.

CK: Uh, at which point was he pointing the gun at you here?

NR: [blowing his nose]

CK: Running, running backwards and he turned.

NR: He was, he was run, he, he was running from me, and he did one of these numbers. [NR turning around]

CK: Where?

KS: Where at?

NR: Where I was at.

CK: Where.

KS: Where was, where was he at at that point?

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NR: Yeah. He, can we? [pointing to area in front]

KS: Yeah, absolutely, yeah.

[00:05:16 - 00:05:06 – *[time stamp on video]* – NR, CK, KS, LF, TW, DP, and TG start walking towards where the victim was found]

NR: I would probably say somewhere ---

KS: Oh, hold on one second.

NR: --- in, in, in this general vicinity. Do you want me to?

CK: I don't want you getting wet.

NR: Nah, that's uh, I'm already.

CK: [OV] It looks like it's pretty deep. Listen, don't, go in ---

NR: Okay.

CK: --- if it's a canal, it's uh.

NR: I'll toss 'em. [holding pink cones in his hands standing at the guard rail]

CK: Okay.

NR: You want me to toss 'em?

CK: Yeah.

NR: Alright. I'll.

CK: And again it's just an approximate.

KS: Right.

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NR: This is approximate. I would say probably from about here to about this area. [NR throws pink cones past the canal onto the grass]

CK: Okay. Right.

KS: So right in that area.

NR: Right in that, uh.

KS: That's where he was when he.

NR: That's where he was. He turned around and, and he just, just went like this. And I was like and I remember yelling, uh, aim! And just.

LF: When he spun, you saw the barrel again.

NR: Yeah, I saw that. Yeah, I saw, I saw him, I saw this.

KS: Okay, [UI].

CK: [UI].

NR: No, no, but I saw, I saw, I saw, the biggest thing that this, here's the thing.

KS: [coughs]

NR: Again, from like training and experience, and being around firearms and teaching firearms and everything like that, this is the, here's the thing. If somebody's running, if they're looking back, versus when they see a whole body spinning, you see that fist come up like this. He's holding a fucking gun, he's trying to kill me.

CK: Okay.

KS: Did you see one at that point?

NR: Yes.

KS: Okay.

NR: I, I, saw something in his, I saw something, and then he dropped and that's when I said, I saw something silver fall.

KS: Okay.

CK: The last thing that we'll have you to do, it sounds silly, let's go back to ---

NR: Yes, sir.

CK: --- the car.

NR: Mmm-hmm.

CK: [turns to KS] Come here.

[00:03:51 – 00:03:47 – [time stamp on video] - above mentioned all walk back towards the victim's car and white van]

KS: Um.

CK: [UI] gonna keep up.

KS: I'm trying.

CK: Well, the last thing I'm gonna have you do as, as best you can, physically and verbally re-enact the moment without getting in your van. You can start ---

NR: Okay.

CK: --- at the driver's door ---

NR: Okay.

CK: --- and re-enact everything you did and simulate drawing your gun, because I know you don't have a gun.

NR: Uh-huh, uh-huh.

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CK: You know, uh. As best you can, re-enact it as if it was just happening now, you know what I mean?

NR: Okay. [all walking around to the driver's door of the white van]

CK: And what ---

NR: Without getting in my vehicle, yeah.

CK: --- [UI]. And when I say re-enact it? I want you to uh, I want the volume of your voice to be the same. I want your ---

KS: You do it 100 percent.

NR: Okay.

CK: --- your speed ---

KS: The best you can.

CK: --- and your walk or your run to be the same. And progress all the way through.

NR: All the way through, okay.

CK: Yep.

NR: Alright. So as I'm coming, he pops out.

CK: Keith, you're probably gonna have to keep up when he starts running.

KT: Yeah.

NR: And I completely go over and I'm like, he's like, and he starts, "Hey, man," uh, he jumps out, and he's like, "Hey, man, I'm okay." I'm like, "Hey, man, cops," uh, "Hey, man, police, can I help you?" And he immediately j-, uh, "Hey, man, police, can I help you?", and he draws the gun on me, I said, "Drop the gun, drop the gun," and bang, bang, bang and he starts running and I start chasing him. [NR running] And I'm calling 9-1-1.

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“Hey, this is Gardens Alpha 1, this is Raja. I just shot, I just shot a guy, the guy had a gun,” and I’m describing the guy. And as he’s going right there, he stops and turns around and he looks at me, and I was just, and I’m like Aim! And I bang, bang, bang, and I fire about two or maybe three rounds over here and I see him drop. And I come up a little bit more and I’m still on the phone. I slow down and I slow down, and then I couldn’t see him anymore. And I was like, “I’ve lost sight of him, I’ve lost sight of him. I don’t know where he is.” And they’re like, “Go back, get your radio. Go back, get your radio.” And I just started walking backwards, ran back and got my radio.

[00:02:04 – 00:01:58 – [time stamp on video] - all are walking briefly]

KS: Now in your estimate, the length of time that you just did that roughly? The same **somewhere speed?**

NR: Three to four seconds ---

KS: Okay.

NR: --- if that.

KS: Okay.

NR: Maybe five.

[00:01:45 – 00:01:41 – [time stamp on video] – pause in conversations]

CK: Okay, what we’re gonna do is we’re gonna take you over to Sergeant ---

KS: **Moleskar [PH]. (He said “Moleskar” - Should be Sergeant MULL – Gregory Mull, PBG PD)**

CK: --- **Moleskar --- (should be Mull)**

NR: Yes, sir.

CK: --- I’m mixing up the names. Um, where he put your gun in the trunk.

NR: Yes, I, I.

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CK: And the, the only reason I'm gonna have you ---

NR: Mmm-hmm.

CK: --- go over there is to identify that it is your gun.

NR: That is, okay, will do.

CK: And then we're gonna take it as evidence.

NR: Okay.

CK: And uh, ---

NR: Gotcha, yeah.

CK: --- that'll conclude everything.

KS: Uh, we have one other question.

NR: Yes, sir. [UI].

KS: Because you had touched the body down there, ---

NR: Yes.

KS: --- do you have any problem with giving us a sample of your DNA?

NR: Oh no, no, no, no problem. No problem, yes, that's alright.

KS: Okay. We'll have one of our [UI] **crime scene** girls do that ---

NR: Okay, no problem.

KS: --- prior to your leaving. Um.

NR: They haven't taken a picture of me either yet.

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KS: Okay.

CK: [OV] [UI].

KS: You have no problems with that ---

NR: [UI] no problem, yeah.

KS: --- we'll do that too.

NR: Yeah, yeah, no problem, yeah.

KS: Do it all at the same time.

NR: Mmm-hmm.

KS: Alright, well we'll go over. [to CK] Do you got the key?

CK: No.

[00:01:00 – 00:00:40 – [time stamp on video] - all walk over to the police car where NR's gun is in truck – trunk is opened]

CK: Okay.

NR: That's it right there.

LF: Mmm-hmm. Yeah.

CK: Sergeant **Mole** **Mull** reassured me he has no other handguns in the car.

NR: Mmm-hmm.

CK: So this is your gun?

NR: That is my handgun right there. That's my off-duty. That's my personally owned Glock 27.

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LF: Okay.

CL: Since, since the incident, ---

NR: Mmm-hmm.

CK: --- and before you gave it to Sergeant **Mall** **Mull**, did you reload your weapon?

NR: No, sir.

CK: Did you tamper with it?

NR: No, sir.

CK: Did you take casings out or bullets out ---

NR: [shakes head no]

CK: --- nothing?

NR: Nothing, sir.

CK: Okay.

KS: Did you pick up anything out here in the road?

NR: Nothing at all, sir.

KS: Okay.

CK: Was, I think I know the answer, I want you to say it.

NR: Yes, sir.

CK: Was there any physical contact between you and the suspect?

NR: No, sir.

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CK: He never grabbed you, you never grabbed him?

NR: No, sir.

CK: No tussle besides ---

NR: Nothing.

CK: --- the end ---

NR: Yes, besides the end.

CK: --- where you flipped him over.

NR: Exactly, yes, sir.

CK: Okay.

NR: Mmm.

[UF/police staff comes over to the trunk holding a box]

CK: We're gonna inventory this in your presence.

NR: Okay. Ooops, sorry, sorry, uh.

KS: [laughs]

[UF/police staff seen wearing blue gloves with the box]

KS: If you wanna come right over here ---

NR: Sure.

KS: --- that'd be fine. Go ahead Larry.

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[UF/police staff seen holding and examining NR's gun in its holster and magazine, placing magazine in the box. Next, she removes NR's gun from his holster, examining the gun]

UF: Alright, you got a Glock 27, 40 caliber, Serial Number is GFO, G gulf, M Mike, 509, U uniform, 0.

[UF/police staff places gun in the box]

UF: One live round in the chamber. [picking up bullet] Winchester 40 S&W --- [picks up magazine to examine] --- magazine. [picks up paper bag]

CK: Is, is that your, is that your Serial Number on it?

NR: Yes it is, sir. And that is, uh, uh, and department-issued ammunition, too.

CK: Okay that's a department-issued gun?

NR: No, that's my personal gun. I qualified with it ---

CK: Okay.

NR: --- [UI] off duty with the department, and that's department-issued ---

CK: Okay.

NR: --- ammunition inside the gun.

[UF/police staff continues handling gun]

CK: And the gun in the van?

NR: The gun in the van, that's 100 percent department everything.

CK: Okay.

NR: Mmm-hmm.

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UF: [holding magazine] Okay, and then the magazine [UI]?

CK: And I apologize, this is personally owned?

NR: Yes, this is personally owned, but authorized by the department, and the department, uh, is qualified with it, and department-issued.

UF: [UF/police staff handling bullets from the magazine] Winchester 40 S&W rounds. [UF puts bullets into paper bag]

NR: How many?

CK: [UI] if we talk with [UI]?

NR: I'm sorry, how many was it?

UF: There are three live ---

NR: Uh-huh.

UF: --- 40 S&W Winchester rounds in the magazine ---

NR: Okay.

UF: --- taken from, uh, the uh, pistol. And then one ---

NR: One.

UF: --- live round ---

NR: In the chamber.

UF: --- from the chamber.

CK: How do you usually load your weapons? Do you max out the magazine and then one in the chamber? Or you do you add that one? How do you do it?

NR: The magazine is always topped-off one in the chamber.

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CK: Okay. And the firearm that's in the van, the same way?

NR: The same exact.

CK: Yeah, okay, so.

NR: So there will be 20 in the magazine and one in the chamber 'cause I have a plus five extender on those magazines.

CK: Okay. How many magazines do you have in the car?

NR: [motioning to LF]

LF: Yeah, I just couldn't hear what you just said.

NR: Okay, no, no, no, I said on the handgun inside the, my duty gun, they'll be one in the chamber and 20 in the magazine, so a total of 21.

CK: And do you have extra magazines in the car?

NR: Yes, in my vest I have two.

CK: And they're 20 also?

NR: No, they're not 20. They're, I think like 17's or 18's.

CK: Okay.

NR: Mmm-hmm.

CK: Okay.

UF: Uh, just for information, for the extra magazines, um, I have 1, 2, 3, 4, 5, 6, 7, 8, 9 live. They all look like Winchester 40 S&W rounds. [putting above rounds into paper bag] And that was the extra magazine that was on top of the holster inside. [writing on paper bag]

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CK: Okay. [pause] You satisfied? Any other questions?

KS: Nothing that I can think of at this point.

[UF/police staff seen still at the trunk area]

TW: Uh.

NR: Yes, sir.

TW: So when the guy's running, in a nut shell, ---

NR: Uh-huh.

TW: --- and he turns around, ---

NR: Uh-huh.

TW: --- yeah, I don't [UI] **want to put words in your**, he turns around and you said with his right arm?

NR: Yeah, I saw his right hand come like this. I saw something in his hand pointing in my direction.

TW: What'd you think at that point?

NR: A gun, he's shooting at me. He's trying to kill me.

TW: That's why you shot at him?

NR: And, and, exactly, and that's when it's like, the thing like, aim came to me, it's like aim, and I remember picking up that front **site sight** putting it right in the silhouette and squeezing.

TW: Have you ever seen this guy before **do you know to your knowledge?**

NR: Never.

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KS: You ever seen that vehicle before?

NR: Uh, no sir, never.

CK: When you said, when you, when you said, uh, police, you identified yourself as a police officer then?

NR: Yes.

CK: Any other time during this whole incident did you say, "police?"

NR: I, I, I'm, I don't know what to tell you.

CK: What's that?

NR: I, I, I don't know what to tell you. I, I, I remember screaming, "Drop the gun, drop the gun." I remember screaming that. I'm sure I probably said, "Police, drop the gun," uh, it's just.

CK: You don't remember?

NR: I don't remember, yeah.

CK: Okay.

KS: Okay.

CK: Okay. Um, happy [UI]?

KS: Good.

LF: [shakes head yes]

CK: Okay.

KS: Thank you very much [UI].

NR: You're welcome.

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KS: Okay.

CK: [UI]

[End of Video]